

MUKASEY FRENCHMAN

570 Lexington Ave, Suite 3500
New York, NY 10022

Marc L. Mukasey
Partner
212-466-6406
Marc.mukasey@mfsllp.com

May 24, 2023

VIA ECF

The Honorable Edgardo Ramos
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Milton*, S1 21 Cr. 478 (ER)

Dear Judge Ramos:

This letter is respectfully submitted to request a second adjournment of Trevor Milton's sentencing, which is currently set for June 22, 2023. The sentencing issues to be hashed out in this matter are complex and the stakes are breathtakingly high. In order to permit Mr. Milton sufficient time to draft a comprehensive sentencing brief, we ask the Court to re-schedule the sentencing for early September 2023. The government does not object to this request.

An adjournment is necessary to allow the defense to brief various issues arising under the advisory Sentencing Guidelines and the touchstone factors of 18 U.S.C. §3553(a). Foremost among the issues to be addressed is the alleged "loss amount" that we expect will be proffered by the government to enhance the offense level under U.S.S.G. §2B1.1. To date, the government has not provided to the defense or the Probation Department the methodology that it will apply to calculate the supposed "loss," nor have they provided any "loss amount" under §2B1.1. However, we have a working agreement with the government pursuant to which they will provide us with their position on methodology and loss amount in due course; thereafter, the defense will be able to formulate a response, and will, likewise, advise the government thereof. Each party will then be able to properly brief this critical issue.

Should the Court grant this request, the defense would agree to file its written submission two weeks before the sentencing date, and the government would file its brief one week later.

Thank you for your consideration of this submission.

Respectfully submitted,

/s/ Marc L. Mukasey
Marc L. Mukasey

Counsel for Defendant Trevor Milton

cc: All Counsel (by ECF)